

1 KEVIN V. RYAN (California State Bar No. 118321)
United States Attorney

E-filed 5/6/05

2 JAY R. WEILL (California State Bar No. 75434)
3 Assistant United States Attorney

Chief, Tax Division

4 DAVID L. DENIER (California State Bar No. 95024)
5 Assistant United States Attorney

10th Floor Federal Building

6 450 Golden Gate Avenue, Box 36055

San Francisco, California 94102

7 Telephone: (415) 436-6888

8 Attorneys for the United States of America

9 UNITED STATES DISTRICT COURT FOR THE

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

12 ENVISION MEDIA,

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Plaintiff,

v.

UNITED STATES OF AMERICA,
DEPARTMENT OF TREASURY by its agency,
INTERNAL REVENUE SERVICE,

Defendant.

No. C-04-05495-HRL

**STIPULATION AND ORDER
OF DISMISSAL**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, it is hereby agreed and stipulated by the parties, through their respective counsel of record, that this action be dismissed without prejudice, each party to bear its own costs.

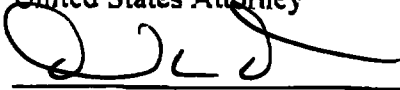
Dated 28 April 2005



MARTIN A. SCHAINBAUM
Attorney for Plaintiff

KEVIN V. RYAN
United States Attorney

Dated 4/29/05



DAVID L. DENIER
Assistant United States Attorney
Tax Division
Attorneys for United States of America

ORDER OF DISMISSAL

Pursuant to the Stipulation of the parties and Rule 41(a) of the Federal Rules of Civil Procedure, the Court hereby orders that this action be and hereby is dismissed without prejudice.

ORDERED this 6th day of May, 2005, at San Jose, California.

Judge Jeremy Fogel /s/electronic signature authorized

UNITED STATES MAGISTRATE JUDGE
DISTRICT COURT